

**FEDERAL COMMUNICATIONS COMMISSION**

**445 12<sup>th</sup> STREET SW  
WASHINGTON DC 20554**

**JUN 22 2011**

**MEDIA BUREAU  
AUDIO DIVISION  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)**

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**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

The Keyed Up Communications Company  
2734 Polk Street  
Hollywood, FL 33021

In re: WIIS(FM), Key West, FL  
Facility I.D. No. 72196  
The Keyed Up Communications Company  
File No. BLH-19830103AB

NEW(FM), Islamorada, FL  
Facility I.D. No. 189556  
Alex Media, Inc  
File No. BNPH-20110523AEW

Dear Licensee:

In accordance with procedures adopted by the Commission,<sup>1</sup> this letter constitutes notification to The Keyed Up Communications Company ("Keyed Up"), licensee of WIIS, of the filing of a construction permit application (BNPH-20110523AEW) by Alex Media, Inc ("Alex Media") for a new FM station at Islamorada, FL. Alex Media's application requested the substitution of Channel 234A for Channel 296A at Key West, FL and modification of the FM Station WIIS license accordingly.<sup>2</sup>

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<sup>1</sup> See *Revision of Procedures Governing Amendments to FM Table of Allotment and Changes of Community of License in the Radio Broadcast Services*, Report and Order, MB Docket No. 05-210, FCC 06-163 (rel. Nov. 29, 2006).

<sup>2</sup> The license of FM Station WIIS at Key West, Florida can be modified to specify operation on Channel 234A in lieu of Channel 296A at the station's current authorized transmitter site (BLH-19830103AB). The licensed coordinates for FM Station WIIS at Key West, are 24-33-18 NL and 81-48-07 WL.

Section 316(a) of the Communications Act of 1934, as amended,<sup>3</sup> permits us to modify a license or construction permit if such action is in the public interest. The Act requires that we notify the affected station of the proposed action, the public interest reasons for the action, and afford the licensee/permittee of the affected station at least 30 days to respond. This procedure is set forth in Section 1.87 of the Commission's Rules.<sup>4</sup> We find that the Application has sufficient public interest benefits to justify the issuance of a show cause order. Furthermore, Alex Media states that it would reimburse Keyed Up for the reasonable costs incurred in connection with the proposed channel change consistent with the *Circleville* policy.<sup>5</sup>

Accordingly, IT IS ORDERED, that pursuant to Section 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 316(a), and pursuant to Section 1.87 of the Commission's Rules, Keyed Up, licensee of Station WIIS, SHALL SHOW CAUSE why its license SHOULD NOT BE MODIFIED to specify operation on Channel 234A in lieu of Channel 296A. Keyed Up may, not later than 30 days from the date of this letter, file a written statement showing with particularity why its license should not be modified as proposed in this *Order to Show Cause*. The Commission may call upon the affected licensee herein to furnish additional information. If the affected licensee raises any substantial and material questions of fact, a hearing may be required to resolve such questions of fact pursuant to Section 1.87 of the Rules. Upon review of the statements and/or additional information furnished, the Commission may grant the modification, deny the modification, or set the matter of modification for hearing. If no written statement is filed within the period specified above, the licensee will be deemed to have consented to the modification as proposed in this *Order to Show Cause* and its assignment will be modified to specify the new channel.

Further action on the subject application will be withheld for thirty days from the date of this letter to provide an opportunity to reply. Please note that responses must be submitted to the Secretary of the Commission in triplicate and must be served on all parties.

Sincerely,



Rodolfo F. Bonacci  
Assistant Chief  
Audio Division  
Mass Bureau

cc: Frank R. Jazzo, Esq.  
Evan Carb, Esq.  
Alex Media, Inc.

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<sup>3</sup> 47 U.S.C. § 316(a) (the "Act").

<sup>4</sup> *See Modification of FM and Television Licenses Pursuant to Section 316 of the Communications Act*, 2 FCC Rcd 3327 (1987).

<sup>5</sup> *See Circleville, Ohio*, 8 FCC 2d 159 (1967).